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MARTIN & FERRARO, LLP  
ATTORNEYS AT LAW  
1925 Century Park East, 17<sup>th</sup> Floor  
Los Angeles, California 90067

Telephone  
(310) 286-9800

Facsimile  
(310) 286-2795

**FACSIMILE TRANSMITTAL**

**TO:**

Name: Mail Stop AMENDMENT  
Group Art Unit 3738/Examiner David Willse

Firm: U.S. Patent & Trademark Office

Fax No.: 571-273-8300

Subject: U.S. Patent Application No. 10/674,971  
Gary K. Michelson

Filed: September 30, 2003

METHOD FOR INSERTING AN INTERBODY  
SPINAL FUSION IMPLANT HAVING AN  
ANATOMICALLY CONFORMED TRAILING  
END (as amended)

Attorney Docket No. 101.0059-02000

Customer No. 22882

Confirmation No.: 4939

**FROM:**

Name: Amedeo F. Ferraro

Phone No.: 310-286-9800

No. of Pages (including this): 2

Date: March 27, 2006

Confirmation Copy to Follow: NO

**Message:**

**CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Statement of Substance of Interview is being facsimile transmitted to the U.S. Patent and Trademark Office on March 27, 2006.

  
Sandra L. Blackmon

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PATENT  
Attorney Docket No. 101.0059-02000  
Customer No. 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Confirmation No.: 4939
Gary K. Michelson	)	
Serial No.: 10/674,971	)	Group Art Unit: 3738
Filed: September 30, 2003	)	Examiner: David Willse
For: METHOD FOR INSERTING AN	)	
INTERBODY SPINAL FUSION	)	
IMPLANT HAVING AN	)	
ANATOMICALLY CONFORMED	)	
TRAILING END (as amended)	)	

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

STATEMENT OF SUBSTANCE OF INTERVIEW

A telephone interview between the undersigned, Todd Martin, and Examiner David Willse was conducted on March 14, 2006. Claim 29 of the present application as well as U.S. Patent No. 5,192,327 to Brantigan were discussed. The Applicant stated that the claims have been amended so as to set forth an opening being formed in a vertebra rather than being curved across the height of the disc space. The Examiner agreed that there appears to be support for the revised claim language. No agreement was reached as to whether the amended claims patentably distinguish over the Brantigan patent to place the above-identified application in condition for allowance.

It is requested that this document be made of record in the above-identified application.

Respectfully submitted,

MARTIN & FERRARO, LLP

By:   
Amedeo F. Ferraro  
Registration No. 37,129

Dated: March 27, 2006

1557 Lake O'Pines Street, NE  
Hartville, Ohio 44632

Telephone: (330) 877-0700

Facsimile: (330) 877-2030